

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TERRANCE JOE QUINLAN,

Plaintiff,

V.

JOHN CONATY,

**Defendant.**

C21-0991 TSZ JRC

## MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff's motion, docket no. 78, pursuant to Federal Rule of Civil Procedure 59(e), to alter or amend the judgment, is DENIED. The Judgment, docket no. 76, accurately reflects the Court's ruling dismissing with prejudice plaintiff's claims against John Conaty. Plaintiff indicates that he wishes to add the United States as a defendant in this matter. To pursue an action against the government, plaintiff must follow the procedures outlined in the Federal Tort Claims Act, which require plaintiff to first present his claim to the appropriate federal agency. See 28 U.S.C. § 2675(a). This case has been closed, and any causes of action involving a party different from those in this matter must be asserted in a separate lawsuit.

(2) Plaintiff's motion, docket no. 79, for a certificate of appealability, is STRICKEN as moot. Because plaintiff does not seek habeas relief, the Court need not either issue or deny a certificate of appealability. *See Hulihan v. Reg'l Transp. Comm'n of S. Nev.*, No. 2:09-cv-1096, 2012 WL 3135681 (D. Nev. Aug. 1, 2012); *Stein v. Quinn*, No. C06-1047, 2007 WL 1725553 (W.D. Wash. June 11, 2007); *see also* 28 U.S.C. § 2253; Rules Governing § 2254 Cases, Rule 11(a).

(3) The Clerk is DIRECTED to send a copy of this Minute Order to all counsel of record and to plaintiff pro se.

Dated this 24th day of January, 2023.

Ravi Subramanian

## Clerk

s/Laurie Cuaresma

### Deputy Clerk